

## ***Fees, Costs, & Assessments For Probate Court***



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## **Probate Court Fee Increases**



- New filing                      From \$100 to \$150
- Guardianship filing      From \$50 to \$150
- Motion, petition,  
objection, account,      From \$15 to \$20  
or claim

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## **Examples of New Filings in Decedent Estates**



- Petition/Application for Probate and/or Appointment of Personal Representative Which Commences an Estate
- Petition to Determine Heirs – No Estate Pending
- Petition to Reopen Closed File
- Demand for Notice – No Estate Pending

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## Examples of Supplemental Filings in Decedent Estates



- Petition/Application for Probate and/or Appointment of Personal Representative - Estate Pending
- Demand for Notice - Estate Pending
- Petition to Determine Heirs – Estate Pending
- Filing of Account

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## Examples Of Supplemental Filings In Decedent Estates



- Petition for Allowance of Account – Filed Separately from Account
- Petition for Attorney Fees – Filed Separately from Account
- Statement and Proof of Claim
- Filing of Letters by Foreign Personal Representative

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## Fees Applicable To Trusts



- Initial Filings
  - Proceeding Involving a Testamentary Trust
  - Proceeding Involving a Inter Vivos Trust
- Supplemental Filings
  - Any other paper, no matter how titled, which requests relief or requires a hearing or ruling of the court when a proceeding is pending

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### **Examples Of New Filings In Guardianship And Conservatorship Proceedings**



- Petition for Full or Limited Guardianship
- Petition for Conservator or Protective Order
- Request for Notice of Guardianship Orders – No Case Pending
- Request for Notice of Protective Proceedings Orders – No Case Pending

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### **Examples Of Supplemental Filings In Guardianship And Conservatorship Proceedings**



- Request for Notice of Orders – Case Pending
- Petition for Temporary Guardian or Conservator (even if filed with initial petition)
- Account (assets over \$20)
- Petition for Allowance of Account (filed separately from account)

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### **Examples Of Supplemental Filings In Guardianship And Conservatorship Proceedings**



- Petition for Attorney Fees (filed separately from account)
- Statement and Proof of Claim
- Petition for Settlement of Personal Injury Claim
- Any other paper, no matter how titled, which requests relief or requires a hearing or ruling of the court when a proceeding is pending

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## Examples Of New Filings

- Summons and Complaint to Initiate Civil Action
- Petition to Establish Death of Victim of Accident or Disaster
- Petition Under Uniform Transfers to Minors Act
- Advanced Directive Proceeding
- Petition for Order to Donate Kidney by Minor
- Drain Appeal

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## Instances Where No Fee Is Charged

The Filing Party is One of the Following:

- ✓ Attorney General
- ✓ Department of Treasury
- ✓ Family Independence Agency
- ✓ State Public Administrator
- ✓ Administrator of Veterans Affairs
- ✓ County Government Agency

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## Instances Where No Fee Is Charged

- In a Guardianship or Conservatorship Proceeding Where the Moving Party is the Subject of the Proceeding
- In a Conservatorship Proceeding Where the Conservatorship is for a Minor and the Proceeding is Regarding the Release of Restricted Funds

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## Instances Where No Fee Is Charged



- Commencement of a Proceeding Under the Mental Health Code [MCL 330.1001 to 330.2106]
- Application for Order to Compel Support of Poor Person

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## Fees That Remain Unchanged



- |   |      |
|---|------|
| ▪ Demand for jury trial                   | \$30 |
| ▪ Appeal from probate court               | \$25 |
| ▪ Petition for assignment of small estate | \$25 |
| ▪ Inventory fees                          |      |
| ▪ Filing of will for safekeeping          | \$25 |
| ▪ Registration of trust                   | \$25 |
| ▪ Petition to open safe deposit box       | \$10 |

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## Fees That Remain Unchanged



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|--|------|
| ▪ Issuance of a commission to take testimony | \$ 7 |
| ▪ Performing a marriage                      | \$10 |
| ▪ Secret marriage license                    | \$ 3 |

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## Copy and Service Fees

- Certified Copy
  - 1<sup>st</sup> page \$10
  - Each additional page \$1
- Certified Copy of Deposition \$0.03 per folio
- Taking, Certifying, Sealing, and Forwarding Deposition to Appellate Court \$5 plus \$0.10 per folio

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## Transmittal of Money

All money is transmitted to the county treasurer by the 5<sup>th</sup> of the month following collection.

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## General Rules

1. New case or to reopen closed case the fee is \$150\*
2. Filing in an existing case a motion, petition, account, objection, or claim the fee is \$20\*

**\* These rules apply unless the fee was one that was noted previously as unchanged.**

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## Questions?



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